

I/3758/2021



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST
AND CLIMATE CHANGE

एकीकृत क्षेत्रीय कार्यालय
 Integrated Regional Office
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File No. 6-MPC008/2021-BHO

Dated : 26/02/2021

To,

The Principal Secretary (Forests)
 Govt. of Madhya Pradesh,
 Vallabh Bhawan
 Bhopal.

Sub: Diversion of 16.805 ha protected forest land for construction and maintenance of 400 KV Bina-Guna transmission line which connects MPPTCL 400 KV Bina station to 400/220 KV Guna (PBGTL) sub-station in favour of Powergrid Bhind-Guna Transmission Limited, Guna in Madhya Pradesh

Sir,

I am directed to invite a reference to APCCF (LM), Govt. of MP letter No. F-4/15/2020/10-11/358 dated 21.01.2021 on the above mentioned subject seeking prior approval of the Central Government under Section – 2 of the Forest (Conservation) Act, 1980.

The proposal was duly considered and approved by the Regional Empowered Committee in its meeting held on 27/01/2021 for issuance of in-principle approval. Therefore, the undersigned, on behalf of the Central Government, conveys **In-Principle Approval (Stage-I)** for diversion of 16.805 ha protected forest land for construction and maintenance of 400 KV Bina-Guna transmission line which connects MPPTCL 400 KV Bina station to 400/220 KV Guna (PBGTL) sub-station in favour of Powergrid Bhind-Guna Transmission Limited, Guna in Madhya Pradesh subject to the following terms and conditions:-

Specific Conditions:

1. Legal status of the forest land shall remain unchanged.
2. Forest land shall be handed over to the user agency only after required non-forest land for the project is handed over by the user agency.
3. **Compensatory afforestation :**
 - a) Compensatory Afforestation shall be taken up by the Forest Department over **33.61 ha** degraded-forest land at Survey No. RF-99, Gram Panchayat Nanon, Tehsil-Chanderi, District-Ashoknagar at the cost of the User Agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
 - b) Total No. of sapling to be planted shall be not less than 33,610 nos. (33.61 ha x 1000) in CA land. The composition of saplings (number of species-wise) to be planted in the CA land shall be as per National Forest Policy and as per CA scheme submitted vide APCCF (LM), Govt. of MP letter No. F-4/15/2020/10-11/358 dated 21.01.2021 and record shall be kept.
 - c) The standard size sapling (minimum height & minimum collar girth and maximum sturdiness quotient species wise) as approved by the State Govt. and as per

- specification in CA scheme submitted by APCCF (LM), Govt. of MP letter No. F-4/15/2020/10-11/358 dated 21.01.2021 shall be planted in the selected CA land.
- d) The height and collar girth (species wise) shall be measured & recorded at the time of plantation and in November of plantation year. Further, data of height, collar girth and survival percentage (species wise) twice a year (April & November month) shall be recorded & records shall be maintained.
 - e) All the live stumps and pollards having girth at ground level ≤ 90 cm and having coppicing properties present in this CA area shall be dressed from the ground level and girthwise record shall be kept.
 - f) The CA plantation shall be taken place before end of 2022 monsoon.
4. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
 5. The user agency shall deposit **Rs. 1,20,05,977/-** for CA in CAMPA fund, New Delhi.
 6. **Net Present Value (NPV):**
 - a) The State Government shall charge the Net Present Value (NPV) for the **16.805 ha** forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 28.03.2008, 24/04/2008 and 09.05.2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18.09.2003, as well as letter No. 5-2/2006-FC dated 03/10/2006, 5-3/2007-FC dated 05/02/2009 and chapter 3 of handbook 2019 of F(C)A, 1980 & FC Rules 2003 in this regard.
 - b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
 7. No tree felling shall be involved in the implementation of this project.
 8. All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in/>).
 9. The User Agency shall be eligible for the working permission of one year as per the Para 11.2 of FCA Handbook, 2019 and copy of the working permission shall be submitted to this office.
 10. The State Govt. shall obtain the Stage-II approval in case of User agency eligible for the working permission of one year as per the Para 11.2 of FCA Handbook 2019. if, ***the Stage-II approval is not obtained before the end of working permission, then the State shall stop the work and action shall be initiated under Para 1.21(ii) of FCA Handbook 2019.***
 11. The User agency in consultation with the State Forest Department prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plants) in right of way under the transmission line for execution of the said scheme to the State Forest Department.
 12. The user agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits.
 13. The User Agency shall comply with the guideline for laying transmission lines through forest areas issued by Ministry vide Chapter 10 of FCA, 1980 Handbook 2019.

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14. The User Agency shall comply with the Hon'ble NGT order for transmission line dated 07.03.2012.

General Conditions:

1. User Agency shall provide suitable under pass/over pass for free movement of wildlife in and around the forest area in accordance to *Eco friendly measures to mitigate impacts of linear infrastructure on wildlife (2016)*.
2. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
3. The layout plan of the proposal shall not be changed without prior approval of Central Government.
4. No labour camp shall be established on the forest land.
5. The trees with bird nest, reptiles and habitat of wildlife was observed then such trees shall be treated with special care for relocation in the forest land by forest department at the cost of user agency.
6. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
7. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
8. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
9. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
10. The forest land shall not be used for any purpose other than that specified in the project proposal.
11. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
12. The user agency shall adhere to all rules, regulations, guidelines & acts enforced by State Govt. and Central Govt. for the proposal.
13. Violation of any of these conditions will amount to violations of Forest (Conservation) Act, 1980 and action would be taken as Para 1.21 of FCA, 1980 Handbook 2019.
14. The State Government and user agency shall comply the provisions of the all Acts, Rules, Regulations, guidelines, NGT order & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
15. Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
16. The compliance report in letter format of State Govt. of Madhya Pradesh shall be uploaded on e-portal (<http://parivesh.nic.in/>).

After receipt of compliance report on fulfillment of all of the above conditions from the State Government, proposal will be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980 by this office.

The order for transfer of forest land to user agency shall not be issued by the State Government till formal approval order for diversion of forest land is issued by Govt. of India.

(B. Abhay Bhaskar)
Asstt. Inspector General of Forests (C)

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Copy to :-

1. The Principal Chief Conservator of Forests & Head of Forest Force, Forest Department, Satpura Bhawan, Bhopal, Madhya Pradesh.
2. The Addl. Director General of Forests (FC), Govt. of India, Ministry of Environment and Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi – 110003.
3. The APCCF (LM) and Nodal Officer, Forest Department, Satpura Bhawan, Bhopal, Madhya Pradesh.
4. The Chief Conservator of Forest, Forest Circle Shivpuri, MP.
5. The Divisional Forest Officer, Social Forestry Division-Ashoknagar, MP.
6. The Chief Manager, Powergrid Bhind Guna Transmission Limited, Guna, Madhya Pradesh.
7. The General Manager, Powergrid Corporation of India Limited, Bhopal, 102/E-5, Arera Colony, Bhopal-462016, Madhya Pradesh.
8. Order file.

(B. Abhay Bhaskar)
Asstt. Inspector General of Forests (C)